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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,578	12/17/2001	Jon Moran	16356.678 (DC-01611B)	3205

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HAYNES AND BOONE, LLP  
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DALLAS, TX 75202

EXAMINER

DEBERADINIS, ROBERT L

ART UNIT	PAPER NUMBER
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2836

DATE MAILED: 10/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/023,578

Applicant(s)

MORAN, JON

Examiner

Robert DeBeradinis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on 07 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 7-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

The reply filed 7/7/03 consists of amendments to the specification and remarks related to the rejection of claims. Claims 7-14 are not allowable for reasons stated below.

### ***Response to Arguments***

Applicant's arguments, see page 6, filed 7/7/03, with respect to the rejection(s) of claim(s) 7-14 under BAILEY in view of ODAOHARA have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of ODAOHARA in view of BAILEY in addition with RICHTER 6,149,319, a new reference.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 8, 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over ODAOHARA 5,969,438 in view of BAILEY 5,739,597.

Regarding claim 7.

ODAOHARA discloses switching circuit (50) and means responsive to application of first voltage (detection circuit) for using the first voltage as the main power supply and preventing a second voltage applied at a second input (15) from being used

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as the main supply, wherein the second input is a default input; and means responsive to the first voltage not being applied to the first input (25) supplies the second voltage to a PC.

ODAOAHRA does not teach the switching circuit and the detection circuit to be configured on an adapter card.

BAILEY teaches an adapter card design for dual sourced power whereby a first voltage source and a second voltage source is selected dependent on the connection of the connector 98 to provide a single communication adapter card to be used to attaché power managed and non-power managed personal computers to a network (abstract).

It would have been obvious to one having ordinary skill in the art at the time of this invention to configure the switching circuit (50) and the detection circuit, disclosed by ODAOHARA, onto an adapter card. The motivation would be to provide a default supply to power a computer that did not have a battery backup.

Regarding claim 8.

ODAOHARA in view of BAILEY disclose the adapter card of claim 7.

BAILEY discloses a PC interface (abstract).

Regarding claim 12.

ODAOHARA in view of BAILEY disclose the adapter card of claim 7.

ODAOHARA in view of BAILEY do not disclose the means for regulating the second voltage.

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ODAOHARA discloses converter (30) means for regulating selected input voltage.

It would have been obvious to one of ordinary skill in the art at the time of this invention to provide means for regulating the second voltage in the configuration wherein the switching circuit (50) output is the final source output. The motivation would be to provide a regulated second voltage on the output of the switching circuit 50 when the second voltage is selected.

Regarding claims 13, 14.

ODAOHARA in view of BAILEY disclose the adapter card of claim 7.

ODAOHARA discloses wherein the means responsive to the first voltage being present at the first input comprises at least one transistor (52).

Claims 9, 10, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over ODAOHARA 5,969,438 in view of BAILEY 5,739,597 in further view of RICHTER 6,149,319.

Regarding claims 9-11.

ODAOHARA in view of BAILEY disclose the adapter card of claim 7.

ODAOHARA in view of BAILEY do not teach the first and second voltages to have a voltage level of 3.3 volts or 5.5 volts.

RICHTER discloses a computer system hot adapter for controlling signal levels to peripheral cards and wherein the power supply is controlled by the card

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controller to provide power to the PCMCIA card through the card socket and a voltage level matching the internal voltage requirements of the PCMCIA card (abstract and figure 11).

It would have been obvious to one having ordinary skill in the art at the time of this invention to modify the adapter card disclosed by ODAOHARA in view of BAILEY to provide the first voltage with a level of 5 volts and the second voltage with a level of 3.3 volts (or visa versa) and control the detection circuit with card controller 1204 to select the LPSV power supply or the HPSV power supply depending upon the enable signal provided by card controller 1204 (RICHTER column 23, lines 10-15). The motivation would be to provide power to the PCMCIA card through the card socket at a voltage level matching internal voltage requirements of the PCMCIA card (abstract).

Any inquiry concerning this communication should be directed to Robert L. DeBeradinis whose number is (703) 306- 5857. The Examiner can normally be reached Monday-Friday from 8:30 am to 5:00 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Brian Sircus, can be reached on (703) 308-31190. The Fax phone number for this Group is (703) 308-7722.

RLD

OCTOBER 21, 2003

